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Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Natural Resources
(AC-NR)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (Sept/2010)

Assembly

Record of Committee Proceedings

Committee on Natural Resources

Assembly Bill 90

Relating to: the operation of motorboats, other than personal watercraft, at slow-no-wake speed within a given distance of the shoreline of a lake.

By Representatives Sherman, Berceau, Black, Clark, Hilgenberg, Knodl, Milroy, Molepske Jr., Pasch, Richards, Roys and Turner; cosponsored by Senators Jauch, Holperin, Lehman, Miller and Risser.

February 24, 2009 Referred to Committee on Natural Resources.

April 22, 2010 Failed to pass pursuant to Senate Joint Resolution 1.

John Maycroft
Committee Clerk





March 2, 2009

To: Legislators

From: Bob Miller
President, Yahara Lakes Association, LTD.

Re: AB90/SB12

YLA supports the goal of AB90/SB12, which is to create a statewide 100-foot no-wake zone, unless a local regulatory body adopts their own no wake zone. However, the bill, as drafted, fails to include Dane County in the list of local regulatory bodies that are able to opt out of the legislation and adopt their own no-wake zone.

Background

Dane County is the only county in Wisconsin with special power to enact county-wide boating, recreation and safety ordinances. This is because the legislature created the Dane County Lakes and Watershed Commission. The Commission's powers and membership are found in Wis. Stats. secs. 33.41 - 33.48. Under Wis. Stat., sec. 33.445, Dane County Lakes and Watershed Commission, along with the Dane County Board, are authorized to implement ordinances pertaining to boating, recreation or safety upon the navigable waters of Dane County. Dane County's ordinances enacted under this authority supercede any conflicting municipal ordinances. Dane County has enacted several ordinances under this authority, including Dane County Ordinance 72.08, which establishes a 200-foot no-wake zone for the Yahara Lakes.

The Problem

SB 12/AB90 authorizes some local regulatory bodies to opt out of the proposed statewide 100-foot no-wake zone. The list of local regulatory bodies identified in the bill includes cities, villages, towns, public inland lake protection and rehabilitation districts and town sanitary districts. However, Dane County is not included in this list.

By omitting Dane County from the list of local regulatory bodies authorized to adopt their own no-wake zone, AB 90/SB 12, as currently drafted, will require Dane County to reduce its current 200-foot no-wake zone, to a less protective, 100-foot no-wake zone.

While 100 feet may be quite adequate to protect users of smaller lakes, the Yahara Lakes are some of the largest in the state, and support the use of large and powerful boats, which can achieve speeds up to 70 miles per hour. Accordingly, it is necessary for Dane County to have an ordinance restricting near shore speeds.

The Solution

To resolve this problem, we recommend that Dane County be added to the list of local regulatory bodies authorized to opt out of the proposed statewide 100-foot no-wake requirement.